

## **REMARKS**

This amendment is in response to the Office Action mailed November 21, 2002. Reconsideration of the application is respectfully requested in light of this amendment and the following remarks.

Applicants' attorney wish to express his appreciation for the courtesy the Examiner extended, during the telephonic conference call with the Examiner and Examiner Dinh.

### **Status of the Claims**

Claims 1-14 are pending in the application. Claim 1 has been amended. Claims 5-14 are new. No new matter has been added.

### **Status of the Specification**

The Examiner has objected to the Specification for listing references not submitted in an Information Disclosure Statement. Applicants have amended the Specification to clearly set forth the priority claim under 35 U.S.C. § 120 to the co-pending applications referenced on page 1 of the Specification. Applicants respectfully submit that an IDS listing the co-pending related applications is not required.

### **Status of the Abstract**

The Examiner has objected to the form of the abstract. In response, Applicants are submitting herewith a revised Abstract as page A1.

### **Rejection Under 35 U.S.C. § 112**

Claim 1 stands rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Amended claim 1 now recites “the first web site” in lines 8-9 to address the lack of antecedent basis pointed out by the Examiner.

### **Double Patenting Rejection**

Claims 1 and 3 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 5 of co-pending application Serial No. 09/422,387 (“the ‘387 application”).

The Examiner participated in a three-way telephone conference call with the Applicants’ attorney and Examiner Dinh — the Examiner for the ‘387 application. Agreement was reached that the Applicants would cancel those claims in the ‘387 application of common subject matter which form the basis for the double patenting rejection and present those claims for examination in this application. New claims 5-14 correspond to claims 1, 4-6, 12, 13, and 16-19 of the ‘387 application. Applicants respectfully submit that this rejection is now moot and a Terminal Disclaimer is not required.

**Rejection Under 35 U.S.C. § 102**

Claims 1-3 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,020,884 to MacNaughton et al.

The Examiner contends that MacNaughton discloses a community server 18 which provides chatting service to community members, that users who wish to become a member of each community must provide membership information during a sign up process, receiving users' ID corresponding to their co-branded community, that each community server supports member interaction, that the system allows users to initiate chat sessions from a community server's web page, and that users must create profiles for each community they wish to join. Further, the Examiner contends that MacNaughton discloses a community server that tracks users entering a chat session, and presents a list of members to users.

Applicants submit that MacNaughton discloses a Threaded Message Server that stores and organizes user interactions posted to a message board associated with a specific URL, for later retrieval by another user. The communication from the Threaded Message Server is not available in real-time. Instead, it is later made visible to any user providing the same URL regardless of that user's profile (MacNaughton, column 9, lines 25-40). Further, MacNaughton discloses a Tracking Server that maintains a list of current users that can be interrogated on behalf of a user, and thereby users can learn of others with similar interests (MacNaughton, e.g., column 18, lines 62-66 and column 9, lines 44-49). The Tracking Server tracks all chat sessions currently in progress and sends this information to a user as they enter a community by specifying an associated URL. Additionally, MacNaughton discloses real-time private or public chat sessions.

In contrast, claims 1-3 recite methods which facilitate real-time communication between users via "semi-public chat sessions." Semi-public chat sessions are visible to users with a predetermined profile. Applicants respectfully submit that MacNaughton does not disclose semi-public chat sessions. Therefore, MacNaughton does not disclose each and every element of the claimed inventions and does not anticipate claims 1-3.

Applicants submit that based on the foregoing, claims 1-3 are in condition for allowance and request withdrawal and reconsideration of this rejection.

#### **Rejection Under 35 U.S.C. § 103**

Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over MacNaughton in view of what was known by an ordinary person of skill in the art at the time of invention by the Applicants. Applicants respectfully traverse this rejection.

Claim 4 is dependent from base claim 1. Applicants submit that claim 1 is patentable over MacNaughton for the reasons discussed in the previous section. Therefore, Applicants submit that claim 4 is in condition for allowance and request withdrawal and reconsideration of this rejection for at least the same reasons as for claim 1.

#### **CONCLUSION**

Each and every point raised in the Office Action dated November 21, 2002 has been addressed on the basis of the above amendments and remarks. In view of the foregoing it is believed that claims 1-14 are in condition for allowance and it is respectfully requested that the

application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Respectfully submitted,



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